

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE VALVE ANTITRUST LITIGATION

No. 2:21-cv-00563-JCC

**STIPULATED MOTION AND
(PROPOSED) ORDER RE: MOTIONS
TO SEAL**

**NOTE ON MOTION CALENDAR:
MAY 16, 2024**

Pursuant to the Court’s April 23, 2024 Minute Order (Dkt. 224), the Parties met and conferred with respect to upcoming motions to seal various motions and supporting papers, including Valve’s upcoming Opposition to Plaintiffs’ Motion for Class Certification and the evidence and declarations on which Valve relies, Valve’s upcoming *Daubert* Motion, and the previously-filed Schwartz Expert Report (Exhibit 1 to Declaration of Alicia Cobb, Dkt. # 182-1).

**STIPULATED MOTION AND ORDER RE: MOTIONS TO
SEAL - 1**

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1. The high volume of materials to review and meet and confer over establishes
2 good cause for this extension. Valve estimates that Valve's upcoming
3 Opposition to Plaintiffs' Motion for Class Certification and the evidence and
4 declarations on which Valve relies, Valve's upcoming *Daubert* Motion, and the
5 previously-filed Schwartz Report, collectively include over 1,000 references to
6 documents or information designated by one of the parties, or a third party, as
7 "Confidential" or the "Highly Confidential Attorneys' Eyes Only Materials"
8 under the August 16, 2022 Stipulated Protective Order, Dkt. No. 95. In addition,
9 in preparing sealing and redaction motions as to those papers, the Parties wish
10 to take guidance from the Court's ultimate resolution of Valve's pending Motion
11 to Seal (Dkt. 198).
12. The Parties therefore stipulate and agree as follows:
13. a. The parties agree that the deadline for any party or non-party to move to seal
14 the Schwartz Report, Valve's upcoming Opposition to Plaintiffs' Motion for
15 Class Certification and the evidence and declarations on which Valve relies,
16 and Valve's upcoming *Daubert* Motion should be extended to four (4) weeks
17 after the Court enters an order resolving Valve's pending Motion to Seal the
18 Class Certification Brief (Dkt. 198). The parties further agree that this date
19 will serve as the deadline for the parties to file versions redacting all the
20 materials sought to be sealed by any party or nonparty of the Schwartz
21 Report, Valve's upcoming Opposition to Plaintiffs' Motion for Class
22 Certification and the evidence and declarations on which Valve relies, and
23 Valve's upcoming *Daubert* Motion.

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25 STIPULATED MOTION AND ORDER RE: MOTIONS TO
SEAL – 2

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- 1 b. The Parties agree that any responses from parties and non-parties must be
2 filed three weeks (3) after any motions to seal are filed pursuant to this Order.
3 c. Pursuant to LCR 5(g)(2), Valve may initially file under seal its forthcoming
4 *Daubert* Motion and any supporting papers.

5 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

6 DATED this 16th day of May, 2024.

8 s/ Alicia Cobb

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STIPULATED MOTION AND ORDER RE: MOTIONS TO
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31 STIPULATED MOTION AND ORDER RE: MOTIONS TO
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2 *Member*
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STIPULATED MOTION AND ORDER RE: MOTIONS TO
SEAL – 5

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1 PURSUANT TO STIPULATION, IT IS SO ORDERED that:

- 2 1. The deadline for parties and non-parties to file Motions to Seal the Schwartz Report,
3 Valve's Opposition to Plaintiffs' Motion for Class Certification, and Valve's
4 *Daubert* motion will be four (4) weeks after the Court enters an order regarding
5 Valve's initial Motion to Seal the Class Certification Brief.
6
7 2. Parties and non-parties will have three (3) weeks to oppose or otherwise respond to
8 the above-referenced motions to seal.
9
10 3. Pursuant to LCR 5(g)(2), Valve may initially file its forthcoming *Daubert* Motion
11 under seal.

12 DATED this 16th day of May 2024.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE

STIPULATED MOTION AND ORDER RE: MOTIONS TO
SEAL – 6

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